

Approved: \_\_\_\_\_

Jennifer L. Beidel

Assistant United States Attorney

Before: THE HONORABLE JUDITH C. MCCARTHY  
United States Magistrate Judge  
Southern District of New York

UNITED STATES OF AMERICA

- v. -

JOHN DOE,

a/k/a "Jose Luis Deleon Cotto,"

a/k/a "Edgar Quinones,"

a/k/a "Confesor Sanchez  
Florentino,"

a/k/a "Hector Florentino,"

Defendant.

X

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16 Mag. 1612

RULE 5(c)(3)

AFFIDAVIT

X

SOUTHERN DISTRICT OF NEW YORK, ss:

JUSTIN SCHUMACHER, being duly sworn, deposes and says that he is a Special Agent with the United States Department of State Bureau of Diplomatic Security ("DS"), and charges as follows:

On or about April 16, 2015, the United States District Court for the District of Massachusetts issued a warrant for the arrest of John Doe, a/k/a "Edgar," a/k/a "Jose Luis Deleon Cotto," in connection with a sealed indictment with criminal case number 15 Cr. 10085 in the District of Massachusetts, charging that John Doe, a/k/a "Edgar," a/k/a "Jose Luis Deleon Cotto," made false statements in a passport application, in violation of Title 18, United States Code, Section 1542. A copy of the arrest warrant and indictment are attached hereto and incorporated herein by reference.

I believe that JOHN DOE, a/k/a "Jose Luis Deleon Cotto," a/k/a "Edgar Quinones," a/k/a "Confesor Sanchez Florentino," a/k/a "Hector Florentino," the defendant, who was taken into DS custody on March 9, 2016, in the Southern District of New York,

is the same individual as John Doe, a/k/a "Edgar," a/k/a "Jose Luis Deleon Cotto," who is wanted by the United States District Court for the District of Massachusetts.

The bases for my knowledge and for the foregoing charge are, in part, as follows:

1. I am Special Agent with DS. I have been personally involved in determining whether JOHN DOE, a/k/a "Jose Luis Deleon Cotto," a/k/a "Edgar Quinones," a/k/a "Confesor Sanchez Florentino," a/k/a "Hector Florentino," the defendant, is the same individual as John Doe, a/k/a "Edgar," a/k/a "Jose Luis Deleon Cotto," named in the April 16, 2015 arrest warrant from the United States District Court for the District of Massachusetts. Because this Affidavit is being submitted for the limited purpose of establishing the identity of the defendant, I have not included in this Affidavit each and every fact that I have learned. Where I report statements made by others, those statements are described in substance and in part, unless otherwise noted.

2. Based on my review of documents from proceedings in the United States District Court for the District of Massachusetts, I know that on or about April 16, 2015, the United States District Court for the District of Massachusetts issued a warrant for the arrest of John Doe, a/k/a "Edgar," a/k/a "Jose Luis Deleon Cotto" (the "Arrest Warrant"). The Arrest Warrant was issued in connection with criminal case number 15 Cr. 10085, in the District of Massachusetts and was issued on an indictment charging that John Doe, a/k/a "Edgar," a/k/a "Jose Luis Deleon Cotto" made false statements in a passport application, in violation of Title 18, United States Code, Section 1542 (the "Indictment"). The Arrest Warrant seeks an individual with a particular date of birth, a particular social security number, and a particular prior address in Boston, Massachusetts (the "Identifying Information"). The Arrest Warrant also seeks an individual with a particular FBI number (the "FBI Number").

3. After having been arrested for forgery charges by the Rockland County Sheriff's Department, JOHN DOE, a/k/a "Jose Luis Deleon Cotto," a/k/a "Edgar Quinones," a/k/a "Confesor Sanchez Florentino," a/k/a "Hector Florentino," the defendant, waived extradition to the United States District Court for the District of Massachusetts on the Indictment on or about March 8, 2016 and signed a waiver of extradition form with the name "Jose Deleon-Cotto" (the "Waiver Form").

4. On or about March 9, 2016, at approximately 11:45 a.m., DS took JOHN DOE, a/k/a "Jose Luis Deleon Cotto," a/k/a "Edgar Quinones," a/k/a "Confesor Sanchez Florentino," a/k/a "Hector Florentino," the defendant, into custody from the Rockland County Detention Center. When the defendant was taken into custody and searched incident to arrest, he had the following identifying information: (1) a Massachusetts Driver's License in the name of "Jose Luis Deleon-Cotto" (the "MA DL"); (2) a social security card in the name of "Jose Luis De Leon Cotto" (the "SS Card"); (3) a New York State Benefit Identification Card in the name of "Jose DeLeonCotto" (the "Benefit Card"); (4) a Massachusetts Home Improvement Contractor Registration Card in the name of "Jose Luis Deleon Cotto" (the "Contractor Card"); (5) a BJ's Club Card in the name of "Jose Luis"; and (6) two debit cards in the names of "Jose L. Deleon-Cotto" and "Jose L. De Leon."

5. I have reviewed five sets of photographs of "Jose Deleon-Cotto" and "Jose Luis Deleon-Cotto" taken from law enforcement databases: (1) mugshot photographs from a September 16, 2005 arrest report of "Jose Deleon-Cotto" for murder in the second degree (the "Arrest Report"), (2) a photograph from an application for a United States Passport in the name of "Jose Luis Deleon Cotto" (the "Passport Application"), (3) the photograph on the MA DL, (4) the photograph on the Benefit Card, and (5) the photograph on the Contractor Card. Based on my observation of JOHN DOE, a/k/a "Jose Luis Deleon Cotto," a/k/a "Edgar Quinones," a/k/a "Confesor Sanchez Florentino," a/k/a "Hector Florentino," the defendant, I believe him to be the individual depicted in these photographs.

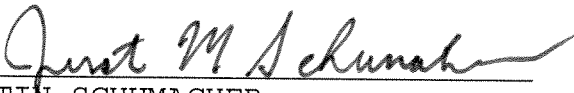
6. Based on my review of the Passport Application, the MA DL, the Arrest Report, the SS Card, and the Benefit Card, the following matches in Identifying Information exist: (1) all of the Identifying Information is contained in the Passport Application, (2) the date of birth and the prior address from the Identifying Information is contained in the Massachusetts Driver's License, (3) the date of birth and the social security number from the Identifying Information is contained in the Arrest Report, (4) the social security number from the Identifying Information is contained on the SS Card, and (5) the date of birth from the Identifying Information is contained on the Benefit Card.

7. I have compared the signatures on the Passport Application, the MA DL, the SS Card, the Benefit Card, and the

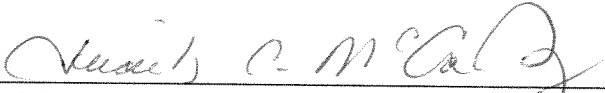
Contractor Card, with the signature of JOHN DOE, a/k/a "Jose Luis Deleon Cotto," a/k/a "Edgar Quinones," a/k/a "Confesor Sanchez Florentino," a/k/a "Hector Florentino," the defendant, on the Waiver Form. Based on my review, I believe that all of the signatures match.

8. Finally, based on my conversations with other law enforcement officers, I have learned that fingerprints taken in connection with the Rockland County Arrest from JOHN DOE, a/k/a "Jose Luis Deleon Cotto," a/k/a "Edgar Quinones," a/k/a "Confesor Sanchez Florentino," a/k/a "Hector Florentino," the defendant, match the fingerprints associated with the "Jose Deleon-Cotto" arrested on September 16, 2005, who was assigned the FBI Number.

WHEREFORE, deponent prays that JOHN DOE, a/k/a "Jose Luis Deleon Cotto," a/k/a "Edgar Quinones," a/k/a "Confesor Sanchez Florentino," a/k/a "Hector Florentino," the defendant, be imprisoned or bailed as the case may be.

  
JUSTIN SCHUMACHER  
Special Agent  
Bureau of Diplomatic Security  
United States Department of State

Sworn to before me this  
9th day of March, 2016.

  
THE HONORABLE JUDITH C. MCCARTHY  
United States Magistrate Judge  
Southern District of New York

AO 442 (Rev. 11/11) Arrest Warrant

## UNITED STATES DISTRICT COURT

for the

District of Massachusetts

United States of America

v.

John Doe, a/k/a

"Edgar"

Defendant

Case No. 15cr10085

## ARREST WARRANT

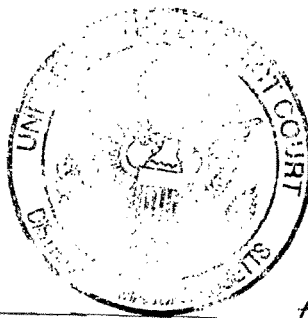
To: Any authorized law enforcement officer

**YOU ARE COMMANDED** to arrest and bring before a United States magistrate judge without unnecessary delay  
 (name of person to be arrested) John Doe, a/k/a "Edgar"  
 who is accused of an offense or violation based on the following document filed with the court:

- ☒ Indictment    ☐ Superseding Indictment    ☐ Information    ☐ Superseding Information    ☐ Complaint  
☐ Probation Violation Petition    ☐ Supervised Release Violation Petition    ☐ Violation Notice    ☐ Order of the Court

This offense is briefly described as follows:

18 U.S.C. § 1542, False Statements in Passport Application

Date: 04/16/2015City and state: Boston, MA

*Antonia Alves Baptista*  
 Issuing officer's signature

*Antonia Alves Baptista, Deputy Clerk*  
 Printed name and title

## Return

This warrant was received on (date) \_\_\_\_\_, and the person was arrested on (date) \_\_\_\_\_  
 at (city and state) \_\_\_\_\_.

Date: \_\_\_\_\_

Arresting officer's signature

Printed name and title

**UNITED STATES DISTRICT COURT  
DISTRICT OF MASSACHUSETTS**

**UNITED STATES OF AMERICA**

**v.**

**JOHN DOE, a/k/a**

**"Edgar,"**

**Defendant.**

**Crim. No.**

*15cr10085*

**Violation:**

**False Statements in Passport  
Application,  
18 U.S.C. § 1542**

**INDICTMENT**

**COUNT ONE:**(18 U.S.C. § 1542—False Statements in Passport Application)

The Grand Jury charges that:

On or about November 21, 2012, in or about Boston, in the District of Massachusetts,

**JOHN DOE, a/k/a  
"Edgar"**

defendant herein, did willfully and knowingly make false statements in an application for passport with intent to induce and secure the issuance of a passport under the authority of the United States, for his own use and the use of another, contrary to the laws regulating the issuance of passports and the rules prescribed pursuant to such laws.

All in violation of Title 18, United States Code, Section 1542.